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Atty Dkt: 2354/114

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS -  
SMALL BUSINESS CONCERN**

Applicants: Nigel Sammes  
Tracy Murray  
Michael Brown  
Warren Ziegler

Serial No: 09/864,070

Date Filed: May 22, 2001

For: ELECTRODE-SUPPORTED SOLID STATE ELECTROCHEMICAL CELL

I hereby declare that I am an official of the following small business concern and am empowered to act on its behalf:

Acumentrics Corporation  
14 Southwest Park  
Westwood, MA 02090-1548  
U.S.A.

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the above-referenced invention.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

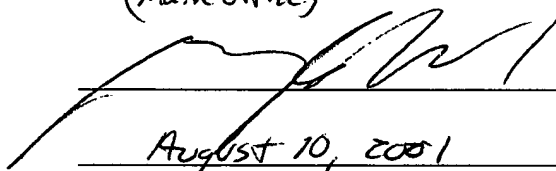
I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: Gary A. Mook

Title of person signing: President & CEO

Address of person signing: 14 Southwest Park, Westwood MA 02090  
(main office)

Signature: 

Date: August 10, 2001



Practitioner's Docket No. 2354/114

PATENT

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)**

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for an original application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

Electrode-Supported Solid State Electrochemical Cell

**SPECIFICATION IDENTIFICATION**

The specification of which was filed on May 22, 2001 as United States application number 09/864,070.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. Section 119(e))

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

60/206,456

**FILING DATE**

May 22, 2000

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Keith J. Wood	45,235
Bruce D. Sunstein	27,234
Robert M. Asher	30,445
Timothy M. Murphy	33,198
Steven G. Saunders	36,265
Harriet M. Strimpel	37,008
Karen A. Buchanan	37,790
Samuel J. Petuchowski	37,910
Jeffrey T. Klayman	39,250
John J. Stickevers	39,387
Elizabeth P. Morano	42,904
Jean M. Tibbetts	43,193
Jay Sandvos	43,900
Sonia K. Guterman	44,729
Yang Xu	45,253
Alton Hornsby, III	47,299
Alexander J. Smolenski	47,953

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

Keith J. Wood  
617-443-9292

Keith J. Wood  
125 Summer Street  
Boston, MA 02110  
USA

Customer Number 2101

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**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Nigel Sammes

Inventor's signature

Date 8/6/01

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Tracy Murray

Inventor's signature

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Country of Citizenship NZ



Michael Brown

Inventor's signature *Michael Brown*

Date 7/17/01

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Warren Ziegler

Inventor's signature *Warren Ziegler*

Date 7/17/01

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